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10-23-2002

U.S. Patent & TMO/c/TM Mail Rpt Dt. #73

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Julie Somers,

Opposition No. 9115284 0

Serial No. 76255860

Applicant,

v.

Port Carling Corporation,

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513

Opposer.

October 21, 2002

(Date)


Julie Somers

Answer to Opposition

Assistant Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513

ATT:BOX TTAB FEE

Dear Sir:

Applicant, Julie Somers, an individual, the applicant hereby answers the
Opposition by Port Carling a corporation. The Applicant's mark is as follows:

MARK:	SOMERSEASONS GREETINGS ASHLEY and Design
SERIAL NO:	76/255,860
FILED:	May 14,2001
PUBLISHED:	April 30, 2002
GOODS:	Greeting cards, Christmas cards, occasion cards, art prints, art print reproductions, comic strips, cartoons, gift wrapping paper and other related paper products, namely, stationery, note pads, bookmarks and mailing labels in International Class 16.

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Response to opposition is as follows:

1. Applicant's last name is Somers, the design Ashley is based on Julie Somers' daughter Ashley Somers.
2. The name SOMERSEASONS has no relation to nor does it capitalize on the name of the actress Suzanne Somers, to claim all rights to the name Somer is as ridiculous as claiming all rights to the name Suzanne.
3. The applicant has participated in commerce under the mark SOMERSEASONS GREETINGS Ashley and design and is currently actively marketing original greeting cards and designs under that name. The inscriptions have no reference to the actress Suzanne Somers nor do they depict the comic roles, the actress is best known for.
4. The word SOMER is used in various marks currently trademarked and not owned by either Port Carling Corporation or Suzanne Somers.
5. Suzanne Somers is a fairly well known actress, but not so well known that a portion of her last name "SOMER" would cause people to associate it with actress Suzanne Somers or any products related to her.
6. The opposer does not use the name SOMERSEASONS in any of its trademarks, nor does it currently market greeting cards under any name.

WHEREFORE, applicant prays that the Application Serial No. 76/255,860 will be registered in accordance with section 12(a) of the Trademark Act of 1946 and related amendments, and the opposition be denied in favor of the applicant.

Respectfully submitted,

Julie Somers

Dated: 10-21-02

By: 

Julie Somers

31 Jonquil Drive

Guntersville, AL 35976